

93^D CONGRESS
2^D SESSION

Calendar No. 764

S. 1227

[Report No. 93-796]

IN THE SENATE OF THE UNITED STATES

MARCH 14, 1973

Mr. MAGNUSON (by request) introduced the following bill; which was read twice and referred to the Committee on Commerce

APRIL 30, 1974

Reported by Mr. PASTORE, with amendments

[Insert the part printed in italic]

A BILL

To amend section 415 of the Communications Act of 1934, as amended, to provide for a two-year period of limitations in proceedings against carriers for the recovery of overcharges or damages not based on overcharges.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsections (a), (b), and (c) of section 415 of the
4 Communications Act of 1934, as amended (47 U.S.C.
5 415), are amended to read as follows:

6 “(a) *All actions at law by carriers for recovery of*
7 *their lawful charges, or any part thereof, shall be begun,*

1 *within two years from the time the cause of action accrues,*
2 *and not after.”*

3 “(b) All complaints against carriers for the recovery of
4 damages not based on overcharges shall be filed with the
5 Commission within two years from the time the cause of
6 action accrues, and not after, subject to subsection (d) of
7 this section.

8 “(c) For recovery of overcharges action at law shall be
9 begun or complaint filed with the Commission against carriers
10 within two years from the time the cause of action accrues,
11 and not after, subject to subsection (d) of this section, except
12 that if claim for the overcharge has been presented in writing
13 to the carrier within the two-year period of limitation said
14 period shall be extended to include two years from the time
15 notice in writing is given by the carrier to the claimant of
16 disallowance of the claim, or any part or parts thereof,
17 specified in the notice.”

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By Mr. MAGNUSON

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